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6 **UNITED STATES DISTRICT COURT**  
7  
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA, )  
10 )  
Plaintiff, )  
11 vs. ) Case No.: 2:18-cr-0218-RFB-VCF  
12 ) STIPULATION TO CONTINUE  
13 JOSEPH MICHAEL ROAQUE, ) SENTENCING DATE  
14 ) (SECOND REQUEST)  
Defendant. )  
15 \_\_\_\_\_ )

16 *Certification:* This stipulation is filed pursuant to General Order 2007-04.

17 IT IS HEREBY STIPULATED AND AGREED, by and between the defendant  
18 JOSEPH MICHAEL ROAQUE through his attorney GABRIEL L. GRASSO, ESQ., and the  
19 United States of America, through SUSAN CUSHMAN, Assistant United States Attorney,  
20 that the sentencing hearing currently scheduled for December 11, 2019, at 10:00 a.m., be  
21 vacated and continued to a date and time convenient to this court, but no event earlier  
22 than thirty (30) days.

23 Pursuant to General Order No. 2007-04, this stipulation is entered and based upon  
the following:

- 24 1. ROAQUE is in custody and does not oppose to the continuance.  
25 2. The parties agree to the continuance.  
26 3. Denial of this request for continuance would deny the defense sufficient time  
27 to be able to assist in defendant's sentencing and file a Sentencing  
28 Memorandum with the court.  
4. Both Government and Defense Counsel have scheduling issues the week of  
December 9, 2019 and request an additional 30 day reset of the sentencing.

5. This is the second request for a continuance of the sentencing date in this case.

DATED this 5<sup>th</sup> day of November, 2019.

RESPECTFULLY SUBMITTED BY:

/s/ Susan Cushman  
SUSAN CUSHMAN  
Assistant United States Attorney

/s/ Gabriel L. Grasso  
GABRIEL L. GRASSO  
Attorney for ROAQUE

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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 UNITED STATES OF AMERICA, )  
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Plaintiff, )  
11 vs. )  
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JOSEPH MICHAEL ROAQUE, )  
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Defendant. )  
15 \_\_\_\_\_ )

Case No.: 2:18-cr-0218-RFB-VCF  
STIPULATION TO CONTINUE  
SENTENCING DATE  
(SECOND REQUEST)

16  
17 **FINDINGS OF FACT**

18 Based upon the submitted Stipulation, and good cause appearing therefore, the  
19 Court finds that:

- 20 1. Both Government and Defense Counsel have scheduling issues the week of  
21 December 9, 2019 and request an additional 30 day reset of the sentencing.  
22 2. ROAQUE is in custody and does not oppose to the continuance.  
23 3. The parties agree to the continuance.

24 **CONCLUSIONS OF LAW**

25 Denial of this request for continuance would deny the defense herein sufficient  
26 time and the opportunity within which to be able to effectively and thoroughly prepare for  
27 sentencing, taking into account the exercise of due diligence.  
28

1 Additionally, denial of this request for continuance would result in a miscarriage of  
2 justice.

3 **ORDER**

4 **IT IS ORDERED** that the sentencing hearing currently scheduled for December 11,  
5 2019, at 10:00 a.m., be vacated and continued to January 16,  
6 2020, at the hour of 2:30 PM.

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8 IT IS SO ORDERED:

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10 \_\_\_\_\_  
11 RICHARD F. BOULWARE, II  
12 UNITED STATES DISTRICT JUDGE

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DATED: November 12, 2019